

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN JACOB O'BRIEN,	:	CIVIL ACTION NO. 1:09-CV-2517
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
WARDEN CAMPBELL, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 28th day of June, 2010, upon consideration of the motion (Doc. 31) to withdraw as counsel, filed by William P. Smith, Esquire ("Attorney Smith"), who is current counsel for plaintiff John Jacob O'Brien, Jr. ("O'Brien"), wherein Attorney Smith details numerous attempts to contact and work with O'Brien, and describes O'Brien's failure to respond or participate in the litigation of this lawsuit, and it appearing that Attorney Smith was appointed to represent O'Brien through the Middle District of Pennsylvania *Pro Bono Attorney* program, (see Doc. 10), and that O'Brien has been ordered to file an amended complaint or to oppose defendants' motion (Doc. 18) to dismiss on or before July 7, 2010, it is hereby ORDERED that:

1. The motion (Doc. 31) to withdraw is GRANTED subject, however, to the following condition. Attorney Smith shall cause to be served upon O'Brien a copy of the motion (Doc. 31) to withdraw along with a copy of this order. Counsel shall file a certificate of service on or before July 2, 2010, and Attorney Smith's withdrawal from the above-captioned matter shall be effective upon filing of the certificate of service.

2. On or before July 12, 2010, O'Brien shall file a response with the court indicating whether he wishes to privately retain counsel, to move for the appointment of substitute counsel, or to proceed *pro se*. Should O'Brien fail to comply with this Paragraph, the court will assume that O'Brien wishes to proceed *pro se*.
3. The order of court (Doc. 30) dated June 9, 2010 is temporarily STAYED pending resolution of the above-described matters. A scheduling order setting a date by which O'Brien must amend his complaint or oppose the motion (Doc. 18) to dismiss shall issue by future court order.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge